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OLD FORGE BOROUGH COUNCIL  
OLD FORGE, PENNSYLVANIA

IN RE: SPECIAL MEETING / COUNCIL WORK SESSION

MAY 7, 2024

7:00 P.M.

OLD FORGE MUNICIPAL BUILDING  
314 SOUTH MAIN STREET  
OLD FORGE, PENNSYLVANIA

COUNCIL MEMBERS:

- RUSSELL RINALDI, PRESIDENT
- RICK NOTARI
- JAMES HOOVER
- ANDREW BUTLER
- MICHAEL KOMENSKI
- JENNA JONES-SHOTWELL
- MARYLYNN BARTOLETTI, BOROUGH MANAGER
- ROBERT LEGG, MAYOR

Mark Wozniak  
Official Court Reporter

1 MR. RUSSELL RINALDI: Good evening,  
2 ladies and gentlemen. I'd like to call the  
3 meeting to order with the Pledge of  
4 Allegiance.

5 (The Pledge of Allegiance was  
6 recited.)

7 MR. RUSSELL RINALDI: Roll call,  
8 please, Marylynn.

9 MS. BARTOLETTI: Councilwoman  
10 Shotwell?

11 MS. SHOTWELL: Here.

12 MS. BARTOLETTI: Councilman  
13 Komenski?

14 MR. KOMENSKY: Here.

15 MS. BARTOLETTI: Councilman Notari?

16 MR. NOTARI: Present.

17 MS. BARTOLETTI: Councilman Butler?

18 MR. BUTLER: Here.

19 MS. BARTOLETTI: Councilwoman

20 Avvisato is absent. Councilman Hoover?

21 MR. HOOVER: Here.

22 MS. BARTOLETTI: Councilman Rinaldi?

23 MR. RUSSELL RINALDI: Here. Once  
24 again, ladies and gentlemen, welcome to the  
25 Old Forge Borough meeting. Before we get to

1 our work session we're going to have our  
2 special meeting before that. So we'll open  
3 up the special meeting. The chair is going  
4 to ask for a motion to open up the special  
5 meeting for May 7, 2024.

6 MR. NOTARI: I'll make that motion.

7 MR. RUSSELL RINALDI: By Councilman  
8 Notari.

9 MS. SHOTWELL: I'll second it.

10 MR. RUSSELL RINALDI: Seconded by  
11 Councilwoman Jones-Shotwell. On the  
12 question? Public input? Roll call, please.

13 MS. BARTOLETTI: Councilwoman  
14 Shotwell?

15 MS. SHOTWELL: Yes.

16 MS. BARTOLETTI: Councilman  
17 Komenski?

18 MR. KOMENSKI: Yes.

19 MS. BARTOLETTI: Councilman Notari?

20 MR. NOTARI: Yes.

21 MS. BARTOLETTI: Councilman Butler?

22 MR. BUTLER: Yes.

23 MS. BARTOLETTI: Councilman Hoover?

24 MR. HOOVER: Yes.

25 MS. BARTOLETTI: Councilman

1 Rinaldi?

2 MR. RUSSELL RINALDI: Yes. The  
3 special meeting is now open. It was  
4 advertised. We have to pass two motions.  
5 First motion is going to be an ordinance  
6 amending chapter 14 of the Old Forge Borough  
7 code entitled code enforcement officer to  
8 create a position of a deputy code  
9 enforcement officer for the borough of Old  
10 Forge. The chair would entertain a motion  
11 to pass that ordinance.

12 MR. KOMENSKY: I'll make that  
13 motion.

14 MR. RUSSELL RINALDI: By Councilman  
15 Komensky.

16 MR. BUTLER: I'll second it.

17 MR. RUSSELL RINALDI: Seconded by  
18 Councilman Butler. On the question? Public  
19 input? Roll call, please.

20 MS. BARTOLETTI: Councilwoman  
21 Shotwell?

22 MS. SHOTWELL: Yes.

23 MS. BARTOLETTI: Councilman  
24 Komenski?

25 MR. KOMENSKI: Yes.

1 MS. BARTOLETTI: Councilman Notari?

2 MR. NOTARI: Yes.

3 MS. BARTOLETTI: Councilman Butler?

4 MR. BUTLER: Yes.

5 MS. BARTOLETTI: Councilman Hoover?

6 MR. HOOVER: Yes.

7 MS. BARTOLETTI: Councilman Rinaldi?

8 MR. RUSSELL RINALDI: Yes. Second

9 motion is going to be a motion to pass a  
10 resolution appointing a deputy code  
11 enforcement officer for the borough of Old  
12 Forge and entering into an agreement that  
13 provides zoning inspection and enforcement  
14 services, setting forth the scope of  
15 services and fees to be paid in compensation  
16 for the service rendered to the borough.

17 At this time the chair is going to  
18 entertain a motion to appoint NEIC as the  
19 deputy code enforcement officer for the  
20 borough of Old Forge.

21 MR. BUTLER: I'll make that motion.

22 MR. RUSSEL RINALDI: By Councilman  
23 Butler.

24 MS. SHOTWELL: I'll second it.

25 MR. RUSSELL RINALDI: Seconded by

1 Councilwoman Jones-Shotwell. On the  
2 question? Public input? Roll call, please.

3 MS. BARTOLETTI: Councilwoman  
4 Shotwell?

5 MS. SHOTWELL: Yes.

6 MS. BARTOLETTI: Councilman  
7 Komenski?

8 MR. KOMENSKI: Yes.

9 MS. BARTOLETTI: Councilman Notari?

10 MR. NOTARI: Yes.

11 MS. BARTOLETTI: Councilman Butler?

12 MR. BUTLER: Yes.

13 MS. BARTOLETTI: Councilman Hoover?

14 MR. HOOVER: Yes.

15 MS. BARTOLETTI: Councilman Rinaldi?

16 MR. RUSSELL RINALDI: Yes. At this  
17 time, if there's no new business the chair  
18 would entertain a motion to adjourn the  
19 special meeting.

20 MR. NOTARI: I'll make that motion.

21 MR. RUSSELL RINALDI: By Councilman  
22 Notari.

23 MR. BUTLER: I'll second it.

24 MR. RUSSELL RINALDI: Seconded by  
25 Councilman Butler. On the question? Public

1 input? Roll call, please.

2 MS. BARTOLETTI: Councilwoman  
3 Shotwell?

4 MS. SHOTWELL: Yes.

5 MS. BARTOLETTI: Councilman  
6 Komenski?

7 MR. KOMENSKI: Yes.

8 MS. BARTOLETTI: Councilman Notari?

9 MR. NOTARI: Yes.

10 MS. BARTOLETTI: Councilman Butler?

11 MR. BUTLER: Yes.

12 MS. BARTOLETTI: Councilman Hoover?

13 MR. HOOVER: Yes.

14 MS. BARTOLETTI: Councilman Rinaldi?

15 MR. RUSSELL RINALDI: Yes.

16 MR. RUSSELL RINALDI: The special  
17 meeting is ending. We're going to go right  
18 into the work session. Good evening once  
19 again, ladies and gentlemen. The purpose of  
20 the work session tonight is to go through  
21 our department heads, we'll hear from our  
22 mayor and all the council members, our  
23 borough manager, solicitor, and we'll hear  
24 from the public. The chief has a sign-in  
25 sheet. If anybody from the public would

1           like to address us we'll give you a few  
2           minutes at the end of the meeting.

3                     We'll start with our first  
4           department head, Joseph Lenceski, DPW  
5           manager. Any items for the agenda for next  
6           meeting?

7                     MR. LENCESKI: Nothing for the  
8           agenda.

9                     MR. RUSSELL RINALDI: Anything for  
10          the meeting this evening?

11                    MR. LENCESKI: No.

12                    MR. RUSSELL RINALDI: Anybody have  
13          any questions for Joe?

14                    MR. NOTARI: Couple questions. I  
15          had a resident ask to put up either a  
16          children at play sign or an autistic  
17          children at play sign on the 100 block of  
18          Bubernak. I think she even called a couple  
19          times and made complaints, too.

20                    CHIEF DUBERNAS: We've been sitting  
21          over there but I'll watch.

22                    MR. NOTARI: Joe, I was at the park  
23          the other day. Very clean. You're doing a  
24          nice job, your crew's doing a nice job.  
25          Couple questions.

1                   Why is one gate locked on the kiddy  
2 park? There's two gates there. Right? One  
3 of them is locked. The gate in right field  
4 is locked. Maybe it was just a miss.

5                   MS. BARTOLETTI: Sometimes the gate  
6 into the park is open. Is that the one you  
7 mean, the gate that would take you from the  
8 street into the park?

9                   MR. NOTARI: Into the kiddy park.

10                  MS. BARTOLETTI: We only use one  
11 always. The one closer to the Susquehanna  
12 entrance.

13                  MR. NOTARI: I don't know if it's  
14 anything we can do or you could do, but  
15 ignorant people are parking in front of the  
16 entrance. I was sitting in right field,  
17 Maxson Drive, and there was a car parked  
18 blocking from the barricade. They park  
19 there a lot. Parked right in front of the  
20 sidewalk, and so somebody in a wheelchair  
21 had to be helped up through the grass  
22 because the car was blocking the ramp. Can  
23 we paint yellow no parking right in front of  
24 the -- maybe do it at all the entrances so  
25 nobody parks in front of the gate? That way

1 our handicapped and our elderly people can  
2 have easy access into the park.

3 MR. LENCESKI: Yeah, we can do that.

4 MR. NOTARI: Lastly, we had a  
5 resident couple months ago come and ask  
6 about a safe zone in the back, a drop off  
7 for divorced parents to be able to drop off  
8 kids and such. I thought we were going to  
9 paint some lines or something.

10 MS. BARTOLETTI: It's little more  
11 complicated than that. Bill can probably  
12 help with that.

13 ATTY. RINALDI: Well, there's nobody  
14 to view the monitor, first of all. We don't  
15 have a police officer who sits there all day  
16 long. I think the one that Dunmore has,  
17 they just -- I don't know that Dunmore has a  
18 police officer there all the time either.

19 MR. NOTARI: Can't we put a camera  
20 up?

21 CHIEF DUBERNAS: So we have a  
22 camera. What attorney Rinaldi told us, if  
23 we marked it we would have to have somebody  
24 there consistently monitoring that camera  
25 because if there was an exchange and they

1 got into a domestic we could respond to it.  
2 So we don't have it marked. All of our  
3 entire building has cameras so they can drop  
4 off there, but if there's an incident we can  
5 go back and view it.

6 MR. RUSSELL RINALDI: So if we want  
7 this specifically --

8 CHIEF DUBERNAS: We would have to  
9 monitor it 24/7 or a police officer there.

10 MR. NOTARI: In order to prosecute  
11 if something happens?

12 CHIEF DUBERNAS: To prevent  
13 something from happening.

14 ATTY. RINALDI: There's nobody there  
15 to go and stop it.

16 MR. RUSSELL RINALDI: We would have  
17 to mark it. If we marked it, then it's safe  
18 to drop off 24/7. Someone's already  
19 watching. But we don't have anybody  
20 watching it 24/7.

21 CHIEF DUBERNAS: We tell people --  
22 every Wednesday and Friday we have somebody  
23 dropped off in front of our building, and we  
24 told them listen, if there's an incident we  
25 can review the tape but it's not

1 surveillance 24/7.

2 MR. RUSSELL RINALDI: Has anyone  
3 ever called and said could we have a drop  
4 off in front of -- the side of the police  
5 station or front of the police station, is  
6 there an officer there? If we had an  
7 officer here and somebody did that the  
8 officer would just go out, wouldn't he? If  
9 they were here.

10 CHIEF DUBERNAS: Sometimes they  
11 would give us a court order that they would  
12 want a police officer --

13 MR. RUSSELL RINALDI: If somebody  
14 just calls for a courtesy we'd go out there,  
15 wouldn't we?

16 CHIEF DUBERNAS: We'd meet them  
17 here. Wednesday and Friday there's a young  
18 girl gets dropped off around quarter to  
19 five. There's an entire parking lot.

20 MS. SHOTWELL: It's surveilled.  
21 There's cameras.

22 MS. BARTOLETTI: But it's not 24  
23 hour.

24 MS. SHOTWELL: It's not monitored.

25 CHIEF DUBERNAS: It's monitored.

1 Other departments just have safety exchange  
2 zones. Other departments that have those  
3 have somebody constantly watching the  
4 camera.

5 ATTY. RINALDI: I have never heard  
6 of --

7 CHIEF DUBERNAS: I've never heard of  
8 it but that's what they say. I know Throop  
9 has it, Dunmore. We tell people if you want  
10 to drop off here it's under surveillance.  
11 An incident occurs we can go back and see  
12 it.

13 ATTY. RINALDI: If something happens  
14 and there's no cop there. They're led to  
15 believe oh, I'm protected here because  
16 there's a police officer keeping an eye on  
17 me, and that's not the case.

18 MR. RUSSELL RINALDI: It's not the  
19 case because someone's not sitting there  
20 monitoring 24/7. Okay.

21 MR. NOTARI: That's all I have.

22 MR. RUSSEL RINALDI: Anybody have  
23 any other questions for Joe? Thanks, Joe.

24 Mike Sokolowski, code  
25 enforcement/zoning officer, anything for the

1 meeting coming up or the agenda?

2 MR. HART: I have nothing for the  
3 agenda.

4 MR. RUSSELL RINALDI: Anything for  
5 this evening?

6 MR. SOKOLOWSKI: No.

7 MR. RUSSELL RINALDI: Anybody have  
8 any questions for Mike?

9 MR. BUTLER: Dale's house, are we  
10 trying to condemn it or --

11 MR. SOKOLOWSKI: I have prints from  
12 the guy that wants to build a house there,  
13 two units. They've been here since last  
14 year, and I just more or less found them and  
15 I called the guy.

16 MS. BARTOLETTI: He had come in last  
17 year with plans to get permits to build  
18 there. The plans are there waiting for him.  
19 He didn't come back to get them.

20 MR. SOKOLOWSKI: I'm working on  
21 that.

22 MR. BUTLER: He's trying to fix that  
23 house up.

24 MR. SOKOLOWSKI: That's not going to  
25 happen.

1 MS. BARTOLETTI: This was kind of  
2 different because it ended up to be two  
3 different permits.

4 MR. BUTLER: It's in a floodplain?  
5 He has to have insurance?

6 MR. SOKOLOWSKI: There's plans  
7 there, drawings, raised foundation with  
8 baffles for flooding. It's approved by BIU.  
9 But it's here. I'm working on it. It's a  
10 situation where the guy doesn't know which  
11 way he wants to go yet.

12 MR. KOMENSKI: In the meantime is  
13 that a disaster down there?

14 MR. SOKOLOWSKI: Yes.

15 MR. BUTLER: The roof is bowed in.  
16 Every time you pass by it seems like it's  
17 caving in.

18 MR. SOKOLOWSKI: He wants to build  
19 his house, it's a duplex, but he doesn't  
20 know if he's going to subdivide it yet.  
21 But it's been approved.

22 MR. BUTLER: Can't we make him knock  
23 that down if he's not using that existing  
24 building?

25 MR. SOKOLOWSKI: I'm working on it.

1 MR. BUTLER: I'm just worried about  
2 somebody going in there and getting hurt.

3 MR. RUSSELL RINALDI: Bill, if he's  
4 not going to knock it down can't we condemn  
5 it?

6 MR. SOKOLOWSKI: Yes.

7 ATTY. RINALDI: You can send him a  
8 dangerous building notice.

9 MR. SOKOLOWSKI: That's what I was  
10 starting to work on. Like I said, I  
11 contacted him. He has plans here. It was  
12 before I got here. It never went through.  
13 We had a planning commission last month, we  
14 went over it with them from planning. So  
15 they told me what I had to do.

16 MR. RUSSELL RINALDI: So he came in  
17 last planing meeting?

18 MR. HART: He has the plans here, so  
19 I went over everything with Vince and  
20 everybody and they told me what to do. So  
21 I'm working on it.

22 MR. RUSSELL RINALDI: All right,  
23 because if he's not going to and it is a  
24 safety hazard, then we'll start the  
25 paperwork to condemn it ourselves.

1 MR. SOKOLOWSKI: Yes.

2 MR. RUSSELL RINALDI: Okay.

3 Anything else?

4 MR. BUTLER: No. Thank you.

5 MR. RUSSELL RINALDI: Anyone else  
6 have any questions for Mike?

7 MS. SHOTWELL: Where are we at with  
8 Emlaw?

9 MR. HOOVER: I was at the planning  
10 commission meeting and they want to add to  
11 the building. They don't want to do  
12 whatever he has to do now and he wants to  
13 add to the building?

14 ATTY. RINALDI: So he showed up at  
15 the meeting saying they were going to put in  
16 different plans. They want to put an  
17 addition on the building, and I basically  
18 said you can take as long as you want, but  
19 we're still seeking a \$500 a day fine. So  
20 you know what the problem is there.

21 MR. SOKOLOWSKI: He's still getting  
22 fined.

23 ATTY. RINALDI: Did you file at the  
24 magistrate?

25 MR. SOKOLOWSKI: Yes. I sent him

1 the certified. I think it's ten days he  
2 has -- or I forget what it is. I sent him  
3 Friday certified citations. Three from the  
4 previous that we set up.

5 ATTY. RINALDI: So he's got a  
6 citation, I guess, for operating his --

7 MR. SOKOLOWSKI: His time runs out,  
8 then I go to the magistrate.

9 MR. HOOVER: What was the May 4th  
10 deadline for?

11 ATTY. RINALDI: I sent him a default  
12 judgment notice. He filed an answer in new  
13 matter on May 1st, I answered it on May 6th.  
14 So the pleadings are closed, so I can see if  
15 we can't get a trial date and get it heard.

16 MR. BUTLER: I talked to Dave  
17 Cherundolo. He told me that BIU gave him  
18 something.

19 ATTY. RINALDI: BIU gave him a  
20 permit. He's our zoning officer. BIU does  
21 our inspections and says the building is  
22 complete, but he can't occupy the premises  
23 until he finishes the exterior work. So  
24 that's the only protection we have to make  
25 sure they comply with our ordinances. And I

1 told Dave, I said yes, he got a BIU permit,  
2 but that -- BIU gives it to Mike. Mike  
3 holds it until the rest of the work is done.  
4 If there was an HOP needed, if he has to  
5 grade or pave a parking lot, put in curbs,  
6 whatever the rest of the plan calls for.  
7 Now, he hasn't submitted the rest of the  
8 plan, so we don't know what the heck he's  
9 doing.

10 MR. SOKOLOWSKI: There's no final  
11 plan for me to approve him, that he's  
12 finished and it's complete.

13 MR. BUTLER: And there's no way to  
14 shut him down?

15 ATTY. RINALDI: Well, yeah, he is  
16 shut down, but he's violating the shutdown.

17 MR. SOKOLOWSKI: That's why we keep  
18 fining him.

19 MR. HOOVER: He's working every day.

20 ATTY. RINALDI: Just send him  
21 that --

22 MR. HOOVER: The latest truck video,  
23 she's on it. It's about a week ago.

24 MR. BUTLER: He's got two vehicles  
25 there Thursday or Friday of last week. Her

1 car is there, the white car.

2 MR. SOKOLOWSKI: She's there every  
3 day. He's getting fined \$500 a day.

4 ATTY. RINALDI: We're seeking \$500 a  
5 day but he's appealed that. So he gets a  
6 new court hearing on the fine and the \$500 a  
7 day. When you appeal a magistrate judgment  
8 you get a de novo hearing and a trial.

9 MR. HOOVER: So he still continues  
10 to work.

11 ATTY. RINALDI: I thought he got the  
12 message when they were down there the first  
13 time. So he's still down there since you  
14 went down and issued those citations?

15 MR. SOKOLOWSKI: Yes.

16 ATTY. RINALDI: Just keep going down  
17 every day and write a new one.

18 MR. BUTLER: Can't believe there's  
19 no way to stop him.

20 MR. HOOVER: Obviously he doesn't  
21 care if he's getting cited the \$500 a day.  
22 If he goes to the magistrate, the magistrate  
23 says all right, let's make it a reasonable  
24 \$250. Well, then, why bother? Why put  
25 these two people who live right next door --

1           they've been going through this a year and a  
2           half now. It's absolutely crazy that people  
3           here and over there get to do what they want  
4           and we sit here and don't do anything about  
5           it. I've had it up to here. I really have.  
6           We keep getting complaints. I can't walk on  
7           Amity Drive at night without somebody  
8           bitching about the back yard, the back yard.  
9           You hear it at 6:30, 7:00 at night. It's  
10          just ridiculous. There's these two people  
11          here that we can't do anything about. It's  
12          crazy.

13                   MR. BUTLER: It doesn't make sense  
14                   that he can just thumb his nose at us all  
15                   the time and we can't stop it.

16                   MR. HOOVER: He needs to be  
17                   arrested. Maybe that would change his mind.

18                   MR. SOKOLOWSKI: Can you? I don't  
19                   know.

20                   MR. RUSSELL RINALDI: Can you arrest  
21                   him on trespassing?

22                   ATTY. RINALDI: He can write the  
23                   same citations.

24                   CHIEF DUBERNAS: That's why I went  
25                   with him. We had on a body cam because of

1 the way he was acting.

2 MR. RUSSELL RINALDI: Could he be  
3 arrested for trespassing? It's his own  
4 property.

5 ATTY. RINALDI: No, but you can keep  
6 writing those tickets, filing charges.

7 MR. KOMENSKY: That doesn't appear  
8 to be --

9 ATTY. RINALDI: Well, when they  
10 start -- he's going to spend money one way  
11 or another. Fighting them on appeal or  
12 paying them.

13 MR. RUSSELL RINALDI: Mike, you have  
14 three citations on him plus the \$500 a day?

15 MR. SOKOLOWSKI: Yeah. The three  
16 citations are for when we saw him unloading  
17 trucks.

18 MR. RUSSELL RINALDI: Three  
19 citations plus the \$500 a day.

20 MR. SOKOLOWSKI: That's the first  
21 time.

22 ATTY. RINALDI: But they appealed  
23 it.

24 MR. RUSSELL RINALDI: So, then, to  
25 answer, I guess, everyone's question at the

1 table and mine as well we're doing  
2 everything legally we can do. We just have  
3 to take the law and the process and be  
4 patient.

5 ATTY. RINALDI: It's in court. I  
6 mean --

7 MR. RUSSELL RINALDI: What I'm  
8 saying is we can't send somebody down there  
9 to stand at the property and not let him --

10 ATTY. RINALDI: He's in court for  
11 not doing the subdivision plan. This new  
12 one is you don't have an occupancy permit  
13 for the building you're in. So that means  
14 nobody can be in there.

15 MR. RUSSELL RINALDI: What I'm  
16 saying --

17 ATTY. RINALDI: That is a new case  
18 that he just sent. If he sees somebody  
19 going on there every day, write him up every  
20 day until he gets sick of getting them.

21 MR. RUSSELL RINALDI: I agree. Like  
22 I said, the only question I'm asking is  
23 we're doing everything by the law that we  
24 can do?

25 ATTY. RINALDI: Yes.

1 MR. RUSSELL RINALDI: If there's  
2 something else we can do, if we can go down  
3 there and -- if we can stage somebody down  
4 there that says you can't go on your  
5 property, well, I'm sure we would all do  
6 that. We can't do that.

7 ATTY. RINALDI: You can't stop him  
8 from going --

9 MR. RUSSELL RINALDI: We can't  
10 physically stop the guy. So we're doing  
11 everything right now the law is providing  
12 us. Okay, anybody else have --

13 MR. BUTLER: Can't we stop trucks  
14 going in there?

15 ATTY. RINALDI: Well, you have it  
16 posted. Right?

17 MR. SOKOLOWSKI: No.

18 MR. RUSSELL RINALDI: I don't think  
19 we can stop trucks going in there because  
20 it's his property. He's allowed them on his  
21 property.

22 ATTY. RINALDI: You're citing him  
23 for occupying the premises. You can't  
24 just -- I don't know how you would determine  
25 what the truck was doing there. If he said

1 I'm dropping off stuff on my property that's  
2 not illegal, as opposed to trying to prove  
3 they're operating a business. Then you'd  
4 cite him anyway for operating a business.

5 MR. BUTLER: He just doesn't care.  
6 Obviously he's not worried about these  
7 fines. You just don't say \$500 a day, \$500  
8 a day, \$500 a day, don't worry about it.

9 MR. HOOVER: He's got the same thing  
10 going on in Kingston. I don't know the  
11 exact details. He's violating everything  
12 and he's suing them.

13 ATTY. RINALDI: Well, they sued him.

14 MR. HOOVER: So it's still going on  
15 down there, too, I guess. I just feel for  
16 these two people in the back. They're here  
17 all the time. They come to every single  
18 meeting. They don't miss. Their jaw  
19 probably would have dropped at the planning  
20 commission when he said he wants to put an  
21 addition on.

22 MR. SOKOLOWSKI: He still has  
23 nothing from the beginning, from the first  
24 part.

25 MR. HOOVER: All we want him to do

1 is fix the back and the ground, the runoff  
2 water problem. Now he wants to put an  
3 addition on the building.

4 MR. BUTLER: There's no way he's  
5 putting an addition on there unless he gets  
6 an occupancy.

7 MR. RUSSELL RINALDI: To answer your  
8 question, as long as he's constructing --  
9 which we don't know what he's doing. But as  
10 long as he's telling the borough and he's  
11 constructing it to our ordinances and our  
12 code we won't be able to stop him. It's  
13 when they're not following the ordinance we  
14 can stop them or try. Any other questions  
15 for Mike? Thanks, Mike.

16 Dave Lopatka, engineer, anything for  
17 the agenda or the upcoming meeting?

18 MR. LOPATKA: I don't know if it's  
19 for the agenda. You mentioned the pickle  
20 ball thing. I did get some prices. They're  
21 supposed to get it to me this week. I'll  
22 get it to Marylynn once I get it, and then,  
23 depending on what it is, I guess we can  
24 figure it out and go from there.

25 MR. RUSSELL RINALDI: Get it to

1 Marylynn, we'll have Bill look at it, we'll  
2 put it on for you.

3 MR. LOPATKA: Well, it all depends  
4 on what they come back with.

5 MR. RUSSELL RINALDI: Anything for  
6 this meeting?

7 MR. LOPATKA: The paving project  
8 will be ready to go out to bid. Probably  
9 won't have the bids back, but that will be  
10 coming.

11 MR. RUSSELL RINALDI: Any questions  
12 for Dave?

13 MR. HOOVER: When is that meeting?

14 MR. LOPATKA: We didn't advertise it  
15 yet.

16 MR. HOOVER: Let me know.

17 MR. RUSSELL RINALDI: Anyone else  
18 have any questions for David? Thanks, Dave.

19 Chief Dubernas, anything for the  
20 meeting coming up?

21 CHIEF DUBERNAS: Nothing for the  
22 agenda. The only thing, this Saturday is  
23 the first part of the test at 9:00. Three  
24 applicants.

25 MR. RUSSELL RINALDI: Did you get any

1 applicants from the academy?

2 CHIEF DUBERNAS: One.

3 MR. RUSSELL RINALDI: Did that class  
4 graduate already?

5 CHIEF DUBERNAS: The 18th.

6 MR. RUSSELL RINALDI: Anybody have  
7 any questions for the chief? Before we go  
8 down the table we'll go into public comment.  
9 Mr. Krishefski?

10 MR. KRISHEFSKI: I want to address a  
11 water problem on Spring Street, Austin  
12 Heights. My property runs on the last part  
13 of Spring Street.

14 MR. RUSSELL RINALDI: Do you have  
15 the address?

16 MR. KRISHEFSKI: 1252 Franklin  
17 Street.

18 MR. RUSSELL RINALDI: The water  
19 problem is at 1252?

20 MR. KRISHEFSKI: The one side of my  
21 house of 1252, which Spring Street runs up.  
22 What's happening is the water running off  
23 the roadway and it's jumping the sidewalk.  
24 It's running down the sidewalk, going on the  
25 patio. It's also going in my garage. I

1 brought Scott up with me. His property is  
2 the next one up on Spring Street, too. The  
3 water is also going to his garage. There's  
4 a storm drain between my garage and his  
5 garage that's caving in on the road. In  
6 fact, if somebody -- a kid hits that with a  
7 bicycle he's going to get hurt because it's  
8 caving. It's really sinking down. It's  
9 getting real bad. There's a pipe that runs  
10 underneath the road and the road is actually  
11 caving in there.

12 The reason why I came up is because  
13 I want to get new sidewalks put in. Okay?  
14 I feel as though that water problem should  
15 be addressed a little bit up there before I  
16 put my sidewalks in, and even the contractor  
17 said the same thing, too, because I don't  
18 want to spend all that money on sidewalks  
19 and have them get ruined. When we get rain  
20 sometimes the water runs down my sidewalk,  
21 it goes on the patio and I got to clean that  
22 up. Also, there's a storm drain on Franklin  
23 Street, right on the corner, where my house  
24 is. Just about every time we get heavy rain  
25 I'm out there cleaning the debris from

1 around the storm drain because of the water  
2 coming down the road. Like I said, I'm not  
3 going to spend money on sidewalks if we  
4 can't do nothing about the water problem up  
5 there. That's why I'm down here.

6 MR. RUSSELL RINALDI: If you leave  
7 your number with Marylynn, she'll give it to  
8 Joe Lenceski, our DPW manager. He'll come  
9 up and take a look. But we'll call you  
10 first. We'll give him the address, but  
11 we'll have him contact you. We'll give him  
12 the exact location and he'll come up and  
13 take a look at it.

14 MR. KRISHEFSKI: That's no problem.  
15 Another question, if I decide to take out  
16 half of those sidewalks on the side of my  
17 property would there be a problem with that?  
18 Because they're actually not needed there.

19 MR. RUSSELL RINALDI: Are they your  
20 sidewalks?

21 MR. KRISHEFSKI: Yeah, I'm  
22 responsible for them.

23 MR. RUSSELL RINALDI: If it's on  
24 your property.

25 MR. KRISHEFSKI: Would I have to get

1 a permit to take them out?

2 ATTY. RINALDI: I don't know if you  
3 can take them out.

4 MR. LOPATKA: Just looking at the  
5 image, they don't have them on either  
6 side -- or on the other side of where he's  
7 at or across the street.

8 MR. HOOVER: You're on Franklin and  
9 Spring, the corner?

10 MR. KRISHEFSKI: Yes.

11 MR. HOOVER: You're getting water?

12 MR. KRISHEFSKI: Yes.

13 MR. HOOVER: Where is it coming  
14 from, do you know?

15 MR. KRISHEFSKI: It's coming off the  
16 road. I got a couple options I can do  
17 there.

18 MR. BUTLER: If you take the  
19 sidewalks out it's going to cause more of a  
20 problem.

21 MR. KRISHEFSKI: What I could do is  
22 pitch everything towards the road like the  
23 other three houses on the street are up  
24 there. I could do up by my garage because I  
25 got concrete all around my garage. I can do

1 that, the entranceway going into my garage,  
2 and I can stop when I go down so far and  
3 down where you go into the house down  
4 farther. I could fix it down there. Take  
5 the rest out and bank everything towards the  
6 road. I could put gravel down there or  
7 whatever. There's a couple things I can do.

8 MR. RUSSELL RINALDI: I would let  
9 Joe come up, and when you and Joe discuss it  
10 Joe will go over the scope of work. You  
11 could tell him what your plans are you're  
12 looking to do. If the sewer or something is  
13 caving in he'll figure out a plan for that.  
14 Then he'll also figure out the ordinance as  
15 far as sidewalks if you're saying you're  
16 going to take some out.

17 MR. KRISHEFSKI: I might get them  
18 replaced. I don't want to spend no money  
19 unless we can do a little bit of a problem  
20 solving with the water. He'll see the storm  
21 drain. It's right down the road.

22 MR. RUSSELL RINALDI: If the borough  
23 has an issue that needs to be corrected by  
24 us Joe will take care of that.

25 MR. KRISHEFSKI: That's good.

1 MR. RUSSELL RINALDI: Let's let him  
2 talk with you and go over it and then we'll  
3 go from there. He'll come back to us after  
4 he gets the information from you.

5 Before we go down the table, anyone  
6 from the public like to address us?

7 Joann, I spoke with council that you  
8 might be coming tonight, so everyone knows  
9 why you're here. We're all updated on the  
10 project by your house, your concerns. So  
11 everyone's aware of why you're here.

12 MS. FINNERTY: The reason why I'm  
13 here, I want council to know how  
14 disappointed we are as taxpayers, as voters,  
15 business owners and residents in Old Forge  
16 about inappropriate communication and  
17 disrespect that was shown to us about the  
18 relocation of a manhole cover for the sewer  
19 that's located on an easement in Mr.  
20 Mazaleski's yard for over 35 years, when he  
21 purchased the property.

22 As told to us -- my husband and  
23 myself, several members that are present  
24 here this evening -- the road is owned by  
25 the borough and, therefore, there was no

1 need to inform us about the relocation.  
2 However, we disagree since we were directly  
3 impacted by this situation by not being  
4 allowed to access our driveway for a week  
5 while the construction was going on. There  
6 should have been notification by letter  
7 about the situation, dates, the reason for  
8 the relocation so that maybe we could have  
9 had a voice at the council meeting during  
10 the planning process to just give some of  
11 our input on what was going to happen. We  
12 clearly knew nothing about this situation.

13 So here's what we knew so far. The  
14 fall of 2023 I encountered Mr. Mike Ford  
15 from American Rooter. He was outside the  
16 driveway near the catch basin that was to  
17 the right of our driveway. He had a camera  
18 and he wanted to see where this basin was  
19 going. What is it called? Catch basin. So  
20 I explained to him we knew when we bought  
21 our property there was a catch basin on the  
22 property, showed him exactly where it was,  
23 and he put his cameras in and I was proven  
24 right. This is where it went.

25 So when I asked him why he was doing

1 this, he said that the borough was  
2 contemplating moving the sewer, and I said  
3 well, where is it going to go? He did not  
4 know. He did say not to worry, that the  
5 borough's going to make us aware of the  
6 situation.

7 Fast-forward to Friday, April 19th,  
8 8:45 in the morning, when Tom and I opened  
9 our garage door to find several men standing  
10 at the end of the driveway in a discussion.  
11 Mr. Sokolowski was one of the gentlemen.  
12 When asked what is going on we were notified  
13 that the construction will start on Monday.  
14 Clueless, we said what construction? We  
15 were told that they're moving the manhole  
16 cover and the sewer from the neighbor's yard  
17 to the road.

18 Tom and I were totally shocked and  
19 unaware. We asked why they're doing this  
20 and why we were not notified. As stated  
21 earlier, it's a borough road and we didn't  
22 need to be notified. The borough can move  
23 the sewer and the manhole cover wherever  
24 they wanted. When asked where in the road  
25 it would be relocated, we were told again

1 not to worry, it won't interfere with us.

2 When we were getting ready to leave,  
3 my husband and I, to go to work  
4 Mr. Sokolowski leaned over to my husband and  
5 said by the way, you cannot use your  
6 driveway until the construction is  
7 completed. I told him this is totally  
8 unacceptable. As a businessowner in Old  
9 Forge I load and unload my car from the  
10 garage, and not to mention that I'm also  
11 less than one year post-ministroke. So I  
12 really and truly didn't want to take the  
13 advice of, like Mr. Sokolowski said, park in  
14 the cul-de-sac, and it would only be during  
15 this time frame. Well, the cul-de-sac is  
16 parking in the middle and also going up and  
17 down steps. For me, it didn't sit well.  
18 But it was very casually said, and that's  
19 what we settled on that's what we'll have to  
20 do.

21 At the time when these men were  
22 there there were no markings on the road.  
23 Later in the day, 2:30, I went up to the  
24 house and there were markings on the road  
25 that said storm in green, tap to the sew,

1 and it was in blue, and there were several  
2 markings. I have pictures here that I'll be  
3 happy to pass around and show everybody. I  
4 called Mr. Sokolowski, and he was told that  
5 the storm is green. There were markings by  
6 our driveway, maybe four feet away, and it  
7 said 4.9 inches and that that was the storm  
8 drain. Then also there were the green flags  
9 that Mike Ford must have put on our pavers,  
10 and it was in parallel where the storm drain  
11 was. So we just assumed -- wrong word to  
12 use, but we believed that that was the storm  
13 drain.

14 Tuesday at 8 a.m., when my husband  
15 went outside with the garbage, he comes and  
16 sees the hole being dug about three feet  
17 from our pavers, and that's when we were  
18 told the manhole was being relocated to the  
19 center of our driveway four feet from our  
20 property line. We called Mr. Sokolowski and  
21 he referred us to Mr. Lenceski, who did come  
22 to the site. When asked how come we knew  
23 nothing of this, again we were told the  
24 borough's road. No need to notify us. When  
25 asked where the manhole was being moved we

1           were told the pipe is deteriorating, and  
2           when we questioned why the pipe can't be  
3           fixed where it is, Mr. Lenceski looked me in  
4           the eyes and said to me Mr. Mazaleski's old  
5           and he did not want to ruin his to  
6           landscaping. Mr. Mazaleski had purchased  
7           the property knowing the manhole was there  
8           and he's on an easement. As an easement,  
9           whether you put landscaping or not, the  
10          Pennsylvania rule states that you just can't  
11          have a structure that cannot be moved. So  
12          that made no sense to me as to why after 35  
13          years he lived there with this easement,  
14          knowing this, that some day there would be  
15          problems.

16                        For me, we purchased our property 30  
17                        years ago, and never did I think I'd be in  
18                        front of all of you tonight, nor did I think  
19                        I'd be faced with the situation that we  
20                        have. We tried to do a work stop order, did  
21                        not happen. Phone calls were made to three  
22                        council members. Mr. Hoover was gracious  
23                        enough, he did come to the site, and he said  
24                        the manhole could not be moved because the  
25                        sewer's not deep enough and that it was too

1 expensive to move the gas and water lines.

2 This is the engineer who mapped it  
3 out. We contacted Mr. Lopatka, who was  
4 gracious. He came down to the house, he  
5 showed blueprints. He stated originally  
6 that the manhole was going to go to the  
7 right of my driveway. Clearly that's an  
8 insult to our intelligence because we know  
9 it couldn't go there. There's a manhole  
10 cover. The storm drain's there. So  
11 obviously the manhole cover couldn't be put  
12 there.

13 So he said then it was decided they  
14 were going to move it further out. Well,  
15 further out was only a few feet from our  
16 property. Ultimately placing it where he  
17 did, four feet from our property, was just  
18 unacceptable. We feel the borough and  
19 council members did a disservice to myself  
20 and my husband since the placement of the  
21 manhole cover now defaces our property. The  
22 final result of this project looks  
23 horrendous. The macadam is mismatched and  
24 is pieced together. I have photos of that  
25 also.

1                   We don't understand how the manhole  
2                   on the neighbor's property ended up defacing  
3                   our property, nor do we understand why we  
4                   didn't have a voice in this project at all  
5                   and the planning.

6                   There was a cost-effective  
7                   alternative to this project. Leaving the  
8                   pipe on Mr. Mazaleski's property, utilizing  
9                   the easement as planned when the property  
10                  was purchased over 35 years ago and replaced  
11                  with a new pipe, refinish the landscaping  
12                  when it was finished.

13                  There was also another alternative,  
14                  which I don't even know if it was looked  
15                  into or not, and it has to do with the OBIC  
16                  spray applied lining systems that protects  
17                  the pipes from future corrosion.  
18                  Significantly more affordable than  
19                  replacement cost and manhole relocation,  
20                  since we were told that relocated water and  
21                  gas utilities was out of the question. Too  
22                  costly.

23                  So did anyone look into the  
24                  possibility of advanced rehabilitation  
25                  technology which could have left the pipe

1 and manhole where it was originally located?

2 So now that the borough is up to  
3 abutting our pavers the question that Tom  
4 and I would like to ask the council, why  
5 wasn't the intended easement used on  
6 Mazaleski's property instead of costing the  
7 borough taxpayers to relocate the sewer and  
8 manhole cover?

9 Secondly, can the manhole be  
10 relocated? We fear sudden issues in the  
11 future which will impact access to our  
12 driveway with our vehicles.

13 Thirdly, when can we expect this  
14 unsightly road to be neatly restored to its  
15 original appearance?

16 Last and finally, which one of you  
17 would feel comfortable as an Old Forge  
18 resident having this done to you and your  
19 property without any prior notification and  
20 being left with what I'm left with right  
21 now? That's this. It's just totally,  
22 totally unacceptable. So I'm here to give  
23 some grievances and concerns and to see what  
24 can be done now.

25 MR. RUSSELL RINALDI: To start off,

1 the day you called me and we spoke I was  
2 down your place two hours. Councilman  
3 Hoover came down first, he said Mr. Lopatka  
4 had spoke, that he and Dave were on the  
5 phone with you. I notified council tonight  
6 to let them know why you were going to come  
7 in and give us some of your concerns and  
8 address us.

9 Number one, you're saying that you  
10 were told or you think that it could have  
11 been relocated from Mr. Mazaleski's property  
12 to not hurt landscaping?

13 MS. FINNERTY: Yes, it was, by  
14 Mr. Lenceski standing right across the  
15 street from this property.

16 MR. RUSSELL RINALDI: Dave, is that  
17 the case, it could have been done that way?

18 MR. LOPATKA: Well, I don't know if  
19 anything would need to be done. Honestly, I  
20 think it was done, from what I know about  
21 it, to put the sewer within your  
22 right-of-way as opposed to on private  
23 property.

24 MS. FINNERTY: That's not private  
25 property when there's an easement.

1 MR. LOPATKA: I didn't see an  
2 easement.

3 MS. FINNERTY: Well, there is an  
4 easement, and if we had a deed there was an  
5 easement.

6 MR. LOPATKA: I met Joe out there.  
7 We wanted to relocate this out to the road.

8 MS. FINNERTY: I know Mr. Hatala did  
9 a lot of things, may he rest in peace. I  
10 just want to know how the borough, when we  
11 don't know who it was in place at that time,  
12 could have allowed that to be even purchased  
13 with the manhole on it the way it was and  
14 also not have an easement. We all know down  
15 the road there might be a problem. I know  
16 Pennsylvania law states you can't do  
17 anything that cannot be removed. Yes,  
18 landscaping is. You can move it. But to be  
19 told that to my face that really infuriated  
20 me. Mr. Hoover, everybody saw me in rare  
21 form because that was just so unnecessary.  
22 The stress put on us was just totally  
23 unnecessary. Like I said, had we known,  
24 yes, we would have been at meetings so we  
25 could speak and maybe talk.

1 But, yes, I believe that was an  
2 easement, and I don't see why that couldn't  
3 have just stayed where it was and worked it  
4 out that way.

5 MR. RUSSELL RINALDI: Do you know  
6 for a fact that there's an easement?

7 MS. FINNERTY: Yes, there has to be  
8 an easement. Do I know for a fact? Do I  
9 have it in writing? No.

10 MR. RUSSELL RINALDI: The engineer  
11 didn't find an easement.

12 MS. FINNERTY: He also didn't find  
13 the sewer pipe coming from someone's house  
14 either that was illegally tapped into the  
15 sewer, did we?

16 MR. RUSSELL RINALDI: That  
17 development was done over 50 years ago.

18 MS. FINNERTY: That development was  
19 done 30 years ago, and Mr. Hatala did some  
20 nice things there, let me tell you.

21 MR. RUSSELL RINALDI: How long are  
22 you there?

23 MS. FINNERTY: We built in '95, we  
24 purchased the property probably around '92.

25 MR. RUSSELL RINALDI: So it's longer

1 than 30 years.

2 MS. FINNERTY: When we bought the  
3 property Mr. Hatala, after we purchased it,  
4 went on our property and put another access  
5 to the drain sewer unbeknown to us again.

6 MR. RUSSELL RINALDI: That property  
7 was there -- that development was there well  
8 before -- the land was there long before  
9 you. At least 50 years, maybe even longer.  
10 I'm not trying to put blame on Mr. Hatala,  
11 I'm not putting blame on council members in  
12 the past. I'm just saying 50, 60, 70 years  
13 ago they did things that you could have done  
14 back then that now, today we're going to  
15 find manholes in people's yards because they  
16 cut the road and maybe wanted to sell more  
17 property.

18 MS. FINNERTY: The easy way to solve  
19 this would be to ask Mr. Mazaleski for the  
20 deed and you would see that.

21 MR. LOPATKA: I didn't look for an  
22 easement. We had it surveyed because we  
23 were told that the borough wanted the  
24 manhole in the right-of-way.

25 MR. RUSSELL RINALDI: In the borough

1 road.

2 MS. FINNERTY: Originally that was  
3 supposed to be a road where Mr. Mazaleski  
4 purchased his property, but Mr. Hatala --  
5 somehow the road got moved. That's why the  
6 manhole was where it is and Mr. Hatala was  
7 able to sell property. Again, none of us  
8 were around, probably, at this time. But I  
9 do know that was my dad's client, Mr.  
10 Hatala, and I remember standing in my dad's  
11 office and asking the gentleman why did  
12 everybody's property go Mary Street down to  
13 Cheyenne, and why am I sharing a property  
14 with Lettieris? Because we are now facing a  
15 circle. He said it was for aesthetic  
16 reasons. However, the problem was there  
17 were mines right there, and as soon as we  
18 did the first dig we hit the mine. So now  
19 we had to put all extra pipes in our  
20 basement to actually pump up to get te sewer  
21 to go out. So this was all known by whoever  
22 was in office that day. Again, when we were  
23 doing this it was '95.

24 But I just know that there was a lot  
25 done and I don't know how this was allowed.

1 That that was a road, I was told it was a  
2 road, and Mr. Hatala was able to sell that  
3 property to Mr. Mazaleski. How, I don't  
4 know. I can only imagine that there had to  
5 be an easement. There's no other way you  
6 could actually sell that. And common sense,  
7 who would want that to be sold and not have  
8 access to a manhole.

9 MR. RUSSELL RINALDI: That's a good  
10 question. It's something that happened 40  
11 years ago. I can't answer.

12 MS. FINNERTY: Had we known about  
13 this happening we would have been here.

14 MR. RUSSELL RINALDI: For our  
15 attorney and either our code enforcement  
16 officer, Bill, when the borough is doing  
17 work within the borough, on the borough  
18 right-of-way, on the borough's property  
19 legally do we have to notify residents that  
20 we're doing work in front of their property?  
21 Not on the property but on their street.

22 ATTY. RINALDI: PA-1 calls.

23 MR. RUSSELL RINALDI: So legally we  
24 don't have to do it. When I came down and I  
25 was talking to Dave about that I said I was

1 going to ask Bill that question because Bill  
2 would have the answer. Legally would we  
3 have to do it? According to him, no. Only  
4 as a courtesy.

5 MS. FINNERTY: Mr. Rinaldi, legally,  
6 since I wasn't able to use my driveway,  
7 access to our driveway we still shouldn't  
8 have been notified?

9 ATTY. RINALDI: Well, they can tell  
10 you that they're doing construction.

11 MS. FINNERTY: That morning? We  
12 should have legally been notified we could  
13 not have access.

14 ATTY. RINALDI: Legally notified?  
15 When somebody comes council to do work on a  
16 highway, if it's going to encroach on that  
17 person they will let you know about it.  
18 That comes up I'm sure with the paving  
19 program. The paver come through and does  
20 the paving, you can't park on the street.  
21 They have to try and let people know that  
22 you're going to be inconvenienced until they  
23 pave it.

24 MS. FINNERTY: So we still should  
25 have been notified, and because we weren't

1                   verbally called or told a paper or some  
2                   notification should have been sent to us.  
3                   Again, it didn't impact anybody else in that  
4                   neighborhood, only us.

5                   MR. RUSSELL RINALDI: So that was my  
6                   question. Legally did we have to do it?  
7                   Legally, according -- he said if you want to  
8                   use the term legally, no, we didn't. What I  
9                   said to you was as a consideration I think  
10                  we should. If we don't, we should start  
11                  notifying the residents from now on.

12                 MS. FINNERTY: As a resident of Old  
13                 Forge and a taxpayer.

14                 MR. RUSSELL RINALDI: Even if we  
15                 sent a letter from the zoning officer from  
16                 now on if there's any work done in front of  
17                 somebody's house. Again, legally we don't  
18                 have to, but as a consideration it's  
19                 something we should look into. That lets  
20                 them know there's any work being performed  
21                 in front of your house.

22                 MS. FINNERTY: Especially since it  
23                 involved not accessing my driveway. I think  
24                 that is totally different than just working  
25                 right outside on the road.

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MR. RUSSELL RINALDI: I would agree with you. Out of consideration I think we should send that to residents in the borough just to let them know we're going to be doing work in the area.

MS. FINNERTY: On the flip side of this, if the easement wasn't even checked out if it was an easement that shouldn't have gotten voted on. That should have all been checked out before we spent this money to do what we did. That is just wrong. It should have been looked at and checked out and then fixed where it was in place. I'm not a lawyer. I'm just saying it makes no sense that you can have a property with a manhole and not have an easement.

MR. RUSSELL RINALDI: Easement or not, the reason Dave -- correct me if I'm wrong. The reason it would have been done in the road is because our road is our right-of-way and we just go in, start the work, get it done, fix it instead of going through -- even if there was an easement, instead of going through someone else's property, involving somebody else. It's

1 just on our property, our road, our  
2 right-of-way.

3 MR. LOPATKA: The idea was to put  
4 the sewer line in your right-of-way. That  
5 was my understanding of how the project  
6 started.

7 MS. FINNERTY: I do respect that. I  
8 just like what you just said. Rather than  
9 going on someone's property and bothering  
10 people on that property, yet it's okay to  
11 bother us that we can't use our driveway.  
12 The whole thing just doesn't sit well with  
13 me. I'm very upset and very disappointed.  
14 Plus, I know many of you here. Somebody  
15 even personally could have said something.  
16 But we should have known about this in the  
17 planning stages, voiced an opinion and see  
18 if maybe we could have checked about the  
19 easement and could have maybe avoided  
20 spending the money and the time of doing  
21 what was done. That's the only reason I'm  
22 here tonight, is to put it on record because  
23 I don't know what's down the road.

24 Now, I said about concerns. As the  
25 winter comes in this is going to sink.

1 MR. HOOVER: It has to be restored  
2 with probably six inches of BCBC around it,  
3 concrete around it?

4 MR. LOPATKA: That part of it is  
5 done. What they need to do is come back and  
6 mill and overlay.

7 MR. HOOVER: Overlay the road.

8 MS. FINNERTY: Will it be paved?

9 MR. HOOVER: Yes.

10 MR. LOPATKA: They're going to mill  
11 it two inches off the top of what's there  
12 now and put a whole new --

13 MS. FINNERTY: Will the whole road  
14 be paved?

15 MR. HOOVER: Right to your driveway.

16 MR. LOPATKA: We went back to them  
17 and said instead of -- we were going to cut  
18 a 12 foot width from where the trench was to  
19 the curb. So we went back to them and said  
20 just restore the trench where the pipe is,  
21 and then I had them get me a price to see if  
22 they can mill and overlay the full width of  
23 the road instead of just paving that one  
24 section. So they're going to mill and  
25 overlay the whole width of the road in that

1 section.

2 MS. FINNERTY: Only in that section.  
3 In other words, will it match the rest of  
4 the road?

5 MR. LOPATKA: They're not going to  
6 pave the whole thing.

7 MS. FINNERTY: Then down the road  
8 when there's a problem, then what? Then we  
9 do this again if there's something else with  
10 the way the manhole sinks and --

11 MR. RUSSELL RINALDI: When you're  
12 saying down the road, do you mean if the  
13 manhole started to sink or something? Well,  
14 down the road, like I said to you that day,  
15 if the manhole sinks in a certain time frame  
16 the company who did the work will have to  
17 come back and replace or fix it. After the  
18 time frame's past, then the borough's  
19 responsible and we'd have to fix it. We're  
20 responsible for any roads or any of the  
21 sewers or any of the manholes or drains on  
22 the roads within our borough.

23 MS. FINNERTY: Then how would we get  
24 the borough to come? We'd have to come to  
25 another meeting to --

1 MR. RUSSELL RINALDI: If you notice  
2 it sinking, cracking, doing anything you  
3 would just call us and let us know.  
4 Obviously you're right there. You see it  
5 firsthand, call us immediately.

6 MS. FINNERTY: How long will this be  
7 before this is going to be completed?

8 MR. LOPATKA: I imagine it will be  
9 done within the next week or two. I will  
10 confirm that.

11 MR. RUSSELL RINALDI: We can have  
12 Dave contact them tomorrow.

13 MS. FINNERTY: Just let us know  
14 because, again, we can't use the driveway.

15 MR. RUSSELL RINALDI: Anyone else  
16 from the public like to address us? Okay.  
17 Bill, do you have anything for the meeting  
18 coming up?

19 MR. STULL: Two things. So on  
20 Saturday the 25th of May we're having our  
21 annual 5K for the firehouse. It will be  
22 down on First Street, starting at the  
23 stadium and going -- I think it's 3.2 miles  
24 around town. So starting at 9:00 in the  
25 morning. We should be out of there by

1 10:00, 10:30 the latest. I already talked  
2 to Jay on that.

3 MS. BARTOLETTI: Are you closing the  
4 road again near Revello's?

5 MR. STULL: That's going to be for  
6 the cornhole tournament. I believe it's the  
7 30th of June.

8 The second thing is our follow-up  
9 inspection is due at CBN over on Milwaukee  
10 Avenue. What is your wishes on that?

11 MR. HOOVER: Just notify her before  
12 you go.

13 ATTY. RINALDI: Take the Old Forge  
14 Fire Department off the top and put  
15 Eagle-McLure. We don't have a fire  
16 department.

17 MR. STULL: Again, we're working on  
18 that now, Old Forge Fire Department. We  
19 already have our number.

20 ATTY. RINALDI: All right.

21 MR. RUSSELL RINALDI: Bill, you're  
22 going for a follow-up inspection?

23 MR. STULL: They had a couple  
24 violations there when we went the first  
25 time.

1 MR. RUSSELL RINALDI: If you go out  
2 and they don't allow you on the property  
3 what's the procedure?

4 MR. STULL: We leave and it has to  
5 go through the courts.

6 MR. RUSSELL RINALDI: I figured  
7 that's what it is. I wasn't sure.

8 MR. HOOVER: Does she know that?

9 MR. STULL: I think I explained that  
10 pretty much at the council meeting. The  
11 other thing is she has the building next  
12 door, too, that we have to get into. I just  
13 wanted to let you guys be aware that we are  
14 going to try to get back there so Marylynn  
15 doesn't get phone calls. But if she doesn't  
16 let us in we're going to make a phone call.  
17 Never had that problem.

18 MR. RUSSELL RINALDI: We don't know  
19 yet. Anything else for the meeting?

20 MR. STULL: No.

21 MR. RUSSELL RINALDI: Anybody have  
22 any questions for Bill? Thanks, Bill.  
23 Before we adjourn we'll go down the table.  
24 Attorney Rinaldi, anything for the meeting  
25 or the upcoming meeting or the agenda?

1                   ATTY. RINALDI: I don't have  
2 anything.

3                   MR. RUSSELL RINALDI: Anybody have  
4 any questions for the solicitor? Thanks,  
5 Bill.

6                   Borough manager, Marylynn, anything?

7                   MS. BARTOLETTI: I don't have  
8 anything.

9                   MR. RUSSELL RINALDI: Anybody have  
10 any questions for Marylynn?

11                  MS. SHOTWELL: I'd like you and Dave  
12 to get together and talk about the  
13 qualifications for the feasibility study.

14                  MS. BARTOLETTI: We did talk about  
15 it during the week. I made a list of stuff.  
16 I haven't had a chance to talk to him on it  
17 yet.

18                  MR. LOPATKA: I have notes on all  
19 that stuff.

20                  MR. RUSSELL RINALDI: Anyone else  
21 have any questions for Marylynn? Thanks,  
22 Mare. Mayor Legg?

23                  MAYOR LEGG: I have two things.  
24 One, I think we should start getting into  
25 serious discussions about what we're going

1 to do with the church. From what I  
2 understand we had an outstanding appraisal.  
3 I had my door blown in when I heard what the  
4 appraisal came in at. I think it's  
5 ludicrous to be paying utility bills, have  
6 to take care of the property. It needs a  
7 lot of work. I think we should seriously  
8 look into maybe selling it and we have money  
9 we could put aside if something comes up as  
10 far as a community center. But I think we  
11 have to have serious discussions and act on  
12 it.

13 The last thing is are we going to  
14 pass something with a time limit for  
15 audience participation? I know Councilman  
16 Hoover has a little egg timer and he's dying  
17 to use it. I think it would streamline the  
18 meetings a little bit better.

19 MR. RUSSELL RINALDI: I don't think  
20 we have to do that. It's already in  
21 Robert's Rules.

22 ATTY. RINALDI: Reasonable minutes.  
23 I think it's five.

24 MS. BARTOLETTI: Three or five.

25 MR. RUSSELL RINALDI: Bill, check

1 Robert's Rules.

2 ATTY. RINALDI: Well, it's your  
3 pleasure.

4 MS. BARTOLETTI: You can set the  
5 time.

6 MAYOR LEGG: Streamline the meetings  
7 and we'll get more done. The big thing is  
8 we have to do something with the church. We  
9 have to make a decision one way or another.  
10 That's all I have, Mr. Chairman.

11 MS. SHOTWELL: Now that we had the  
12 church appraised at \$500,000 and the rectory  
13 at \$280,000 I also think -- I don't think we  
14 should keep it on the books anymore. I  
15 think it's a very valuable property. We  
16 don't seem to have a lot of use for it as a  
17 borough and I would like to, as we said when  
18 we passed the last lease, continue to  
19 discuss the future of the building because I  
20 just don't think there's any reason to keep  
21 that valuable property.

22 MR. RUSSELL RINALDI: Bill, if  
23 council decided to sell those properties  
24 what's the process? Just call a realtor  
25 and --

1                   ATTY. RINALDI: We've done it  
2                   before. Minimum price.

3                   MR. RUSSELL RINALDI: Anything else?

4                   MS. SHOTWELL: The only other thing,  
5                   at the school, on the agendas we actually  
6                   have please limit your public comments to  
7                   three minutes. So people can maybe keep it  
8                   in their head that they could try to --

9                   MS. BARTOLETTI: I don't know if you  
10                  remember, but a couple months ago I said I  
11                  added all those things under public comment,  
12                  and the only one that I did not specifically  
13                  put on was the time frame because we had  
14                  brought it up at that meeting and no one  
15                  really made a decision on it. And it's  
16                  brought up again tonight, so as soon as we  
17                  know what it is I'd be more than happy to  
18                  add it on for the future.

19                  MR. RUSSELL RINALDI: Put it on the  
20                  agenda.

21                  MR. NOTARI: Why don't we start at  
22                  five, then.

23                  MAYOR LEGG: People are going to go  
24                  over. I'd start with three.

25                  MR. RUSSELL RINALDI: Anything else?

1 MS. SHOTWELL: No.

2 MR. KOMENSKY: The only thing I have  
3 is I agree with the mayor and Jenna. The  
4 time is now. We did get the appraisal,  
5 which I think we were all really shocked.  
6 But I think the time is now that we put this  
7 to bed and sell the property for something  
8 good instead of letting it sit there and  
9 falling apart. That's my thinking. That's  
10 all I have.

11 MR. NOTARI: I'm not against selling  
12 the property. However, we didn't buy the  
13 property to make money on it. I think  
14 before we put it on the market, if that's  
15 what we're going to do, we should offer it  
16 to the groups that use it now for the price  
17 we purchased it.

18 Other than that, have we advertised  
19 for a zoning board person yet? Have we  
20 gotten any applications?

21 MS. BARTOLETTI: I believe it's the  
22 alternate. Correct? We can advertise it  
23 again. When we advertised we received one  
24 application. That was a little while ago.  
25 We can advertise again.

1 MR. NOTARI: That's all I have.

2 MR. RUSSELL RINALDI: Councilman  
3 Butler?

4 MR. BUTLER: I don't have anything.

5 MR. RUSSELL RINALDI: Councilman  
6 Hoover?

7 MR. HOOVER: The only thing I have  
8 is the survey, Dave, on the DPW property.

9 MR. LOPATKA: I didn't know you  
10 wanted me to --

11 MS. BARTOLETTI: We talked about  
12 possibly adding on to the DPW garage. It  
13 was very preliminary.

14 ATTY. RINALDI: There is a  
15 subdivision map for that project down there.  
16 It was recorded and surveyed, then we  
17 surveyed it to get water drainage. But  
18 there is an original one. I remember we got  
19 it for when you did it.

20 MR. RUSSELL RINALDI: I don't have  
21 any items. I'd just say if we can break  
22 into a brief executive session.

23 At this time the chair would  
24 entertain a motion to adjourn the work  
25 session.

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MR. NOTARI: I'll make that motion.

MR. RUSSELL RINALDI: By Councilman  
Notari. All in favor?

(Unanimous. Meeting adjourned.)

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C E R T I F I C A T E

I hereby certify that I attended the foregoing proceeding, took stenographic notes of the same, that the foregoing, consisting of 63 pages, is a true and correct copy, done to the best of my ability, of same and the whole thereof.

  
\_\_\_\_\_  
Mark Wozniak  
Official Court Reporter

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